

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**WINN-DIXIE STORES, INC., *et al.*,
Plaintiffs,**

V.

**EASTERN MUSHROOM MARKETING
COOPERATIVE, *et al.*,
Defendants.**

CIVIL ACTION

No. 15-6480

IN RE MUSHROOM DIRECT PURCHASER ANTITRUST LITIGATION

No. 06-0620

ORDER

AND NOW, this **1st** day of **September 2020**, upon consideration of Defendants’ Motion for Summary Judgment Against Plaintiff Bi-Lo, LLC, Defendant Creekside Mushrooms, LTD.’s Motion For Summary Judgment Against Plaintiff Bi-Lo, LLC, Plaintiffs’ Rule 56(d) Declaration, and Plaintiff Bi-Lo Holding LLC’s Motion For Leave To Opt Out Of The Second Round Of Settlement Classes, as well as the responses and replies thereto, and for the reasons outlined in this Court’s Memorandum Dated September 1, 2020, it is **ORDERED** that:

1. Defendants' Motion for Summary Judgment Against Plaintiff Bi-Lo, LLC (Document No. 229 on Docket No. 15-6480) is **GRANTED in part and DENIED in part**. Summary Judgment is granted for Defendants as to Bi-Lo's claims for damages and denied as to Bi-Lo's claims for injunctive relief.
2. Defendant Creekside Mushrooms, LTD.'s Motion for Summary Judgment Against Plaintiff Bi-Lo (Document No. 231 on Docket No. 15-6480) is **GRANTED in part and DENIED in part**. Summary Judgment is granted for Creekside as to Bi-Lo's

claims for damages and denied as to Bi-Lo's claims for injunctive relief.

3. Plaintiff Bi-Lo Holding LLC's Motion for Leave to Opt Out of the Second Round of Settlement Classes (Document No. 276 on Docket No. 15-6480 and Document No. 1095 on Docket No. 6-620) is **DENIED**.

BY THE COURT:

/s/ Berle M. Schiller

Berle M. Schiller, J.